

**Article 12. Urban Design Districts****4.1200 Urban Design District-Downtown****A. Purpose and Intent**

The purpose of the Urban Design District-Downtown is to establish design standards for new construction and certain renovations of property in the Downtown area in order to protect and enhance the character of Downtown, encourage economic development and protect property values.

**B. Boundaries of Urban Design District-Downtown**

The Urban Design District-Downtown includes all land located within the area bounded by the following: Beginning at the point of the north ROW line of Interstate 30 and the east ROW line of Forest Park Boulevard; Northward on the East ROW line of Forest Park Boulevard to the north ROW line of the Fort Worth & Western Railroad Track; Northwestward along the north ROW line of the Fort Worth & Western Railroad Track to the centerline of the Clear Fork of the Trinity River; Following the centerline of the Clear Fork of the Trinity River to the centerline of the West Fork of the Trinity River to the northwest corner of Block 2, Lot 20, Gouenant Addition; Eastward along the northern boundary of Block 2, Lot 20, Gouenant Addition to the centerline of Samuels Avenue; Southward along the centerline of Samuels Avenue to the northwest corner of Block 1 N55; Lots 10 & 11, Gouenant Addition; Eastward along the northern boundary of Block 1 N55' Lots 10 & 11, Block 1 Lot 13, Block 1 E1/2 Lot 12, and Block 1 Lots 2-8, Gouenant Addition to the east ROW line of the T & P Railroad Track; Southward along the east ROW line of the T & P Railroad Track to the northwest corner of Block 124, Lot 19R, Fort Worth Original Town Addition; Northeastward along the northern boundary of parcels fronting Belknap Street to the west ROW line of Interstate 35; South along the west ROW line of Interstate 35 to Lot 6, 6 Less Row, Penderys Addition; Southwestward along the southern boundary of parcels fronting Weatherford Street to the centerline of Nichols Street; Southeastward along the centerline of Nichols Street to the centerline of 2nd Street; Northeastward along the centerline of 2nd Street to the centerline of Hampton Street; Southeastward along the centerline of Hampton Street to the western ROW line of the BNSF Railroad Track; Southward along the western ROW line of the BNSF Railroad Track to the northern ROW line of State Highway 280; Southwestward along the northern ROW line of SH 280 to the western ROW line of the T & P Railroad Track; Southward along the western ROW line of the T & P Railroad Track to the north ROW line of Interstate 30; then Westward along the northern ROW line of Interstate 30 to the point of beginning. The area is as shown in Exhibit B.16

**C. Relationship of Urban Design District-Downtown to Base Zoning Districts**

The Urban Design District-Downtown is a zoning overlay that supplements the primary underlying zoning district classification. The permitted uses of the property shall be determined by the use regulations set forth for the primary zoning district classification for the property. Development of projects in the Urban Design District-Downtown shall be subject to the Downtown Urban Design Standards in accordance with this section. In the event of any conflict between the design standards and any provision of this ordinance, the design standards shall control.

**D. Downtown Urban Design Standards Adopted**

Development in the Downtown Urban Design District ("DUDD") is subject to the development standards and guidelines contained in the "Downtown Urban Design Standards and Guidelines" as referenced in Exhibit "A". The Downtown Urban Design Standards and Guidelines are hereby approved by the City Council and are included in the Zoning Ordinance by reference. All future amendments to the Downtown Urban Design. *Refer to Downtown Urban Design Standards and Guidelines Downtown.* (Ord. No. 18905, Eff. 11/10/09)

**E. Certificate of Appropriateness Required**

1. Within the Urban Design District-Downtown, issuance of a certificate of appropriateness reflecting compliance with Sections 2 through 5 of the Downtown Urban Design Standards is required as a condition for the following:
  - a. Issuance by the Planning and Development Department of a building permit for construction of a new structure;

- b. Issuance by the Planning and Development Department of a building permit for expansion of an existing structure;
  - c. Issuance by the Planning and Development Department of a building permit for renovation, remodeling or other alterations of the exterior of an existing structure; and
  - d. Construction of a surface parking lot.
2. Applications for a building permit may be submitted in conjunction with an application for a certificate of appropriateness, however, no building permit shall be issued for construction, expansion, renovation, remodeling or other alterations on any building within the Urban Design District-Downtown until a certificate of appropriateness reflecting compliance with Sections 2 through 5 of the Downtown Urban Design Standards is approved by the Downtown Design Review Board and issued by the Planning and Development Department.

**F. Pre-Design Conference**

A pre-design conference with the Planning and Development Director or a designee is required before an applicant makes application for a certificate of appropriateness. Two copies of a site plan containing the following information shall be submitted to the Planning and Development Director for discussion at the pre-design conference:

1. Footprints of all existing structures
2. Proposed footprints of all new structures
3. Existing structures adjacent to the property
4. Existing and proposed floor plans of first and second floors (schematic drawings)
5. Building setbacks
6. Location of parking areas
7. Location of landscape areas
8. Two copies of building elevations for all sides of the building
9. Photographs of the site and adjoining properties

**G. Application for Certificate of Appropriateness**

The following materials shall be submitted to the Planning and Development Department in connection with an application for a certificate of appropriateness. The materials must be submitted at least ten days before the meeting of the Design Review Board at which the application for a certificate of appropriateness will be considered. At the time application materials are submitted, the applicant shall receive a sign provided by the Planning and Development Department that shall be posted on the project site at street level in a location readily visible to the public no less than ten days prior to the meeting of the Downtown Design Review Board

1. Five copies of site plan including:
  - Footprints of all existing structures
  - Proposed footprint of all new structures
  - Existing structures adjacent to the property
  - Building setbacks
  - Location of parking areas, parking lot islands, driveways, sidewalks, walkways, loading areas, walls or fences, utilities, lighting, signage, at grade mechanical units, dumpsters, and all other site improvements.
2. Five copies of landscape plan including location and dimension of areas to be landscaped (including private property, adjoining right-of-way and parking lot islands), total amount of landscaped area, location, number and planting size of all trees, shrubs, and groundcover, location and coverage of irrigation system, and location and description of street furniture.
3. Five copies of schematic floor plans depicting the arrangement of interior spaces, location of windows and doors, mechanical equipment, electrical meter and utility locations. First floor site plans should show the relationship between the first floor and the site.
4. Five copies of schematic building elevations for all sides of the buildings(s) showing design of all elevations, existing grade, proposed grade, finish floor elevations, roof slopes, mechanical vents and equipment, location and type of outdoor light fixtures,

design and location of all wall sign(s) and notations regarding exterior colors and material.

5. Material specification outline with samples, brochures and/or photographs of all exterior building and site materials, finishes and fixtures.
6. For all detached signs, five site plans drawn to scale indicating sign location and drawings of proposed sign, lettering and graphics, drawn to scale of at least one-quarter inch to the foot including any support structures. Colors of the proposed sign shall be indicated on the drawing and actual color samples shall also be furnished. Any proposed illumination shall be indicated on the drawing.

**H. Authority to Approve Certificate of Appropriateness**

Approval of requirements concerning walkway areas, landscape, building edge and signs and banners, contained in Sections 2, 3, 4 and 5 of the Downtown Urban Design Standards shall be by the Downtown Design Review Board. Meetings of the Downtown Design Review Board shall be conducted in accordance with Section 2.104.

**I. Appeal**

1. All decisions of the Planning and Development Director or a designee concerning walkway areas and landscape may be appealed by the applicant to the Downtown Design Review Board by submitting a written appeal to the City Secretary within ten days after receipt of notification of the Planning and Development Director's or a designee's decision. Hearings by the Downtown Design Review Board shall be held in accordance with Section 2.104. The Downtown Design Review Board may uphold, reverse or modify the decision of the Planning and Development Director or a designee.
2. All decisions by the Downtown Design Review Board may be appealed to the City Council by the applicant. A written notice of appeal must be filed with the City Secretary within ten days after receipt of notification of the Downtown Design Review Board's decision. The appeal shall be a denovo hearing. The City Council shall schedule a hearing on such appeal within 30 days after receipt of the notice of appeal, or as soon thereafter as reasonably practicable. The City Council may uphold, reverse or modify the board's decision. (Ord. No. 18905, Eff. 11/10/09)

**4.1201 Trinity Uptown District****A. Certificate of Appropriateness Required**

Within the Trinity Uptown District, issuance of a certificate of appropriateness reflecting compliance the Trinity Uptown Development Standards and Guidelines is required as a condition for the following:

1. Acceptance by the Planning and Development Department of an application for a building permit for construction of a new structure;
2. Acceptance by the Planning and Development Department of an application for a building permit for expansion of an existing structure;
3. Acceptance by the Planning and Development Department of an application for a building permit for renovation, remodeling or other alteration of an existing structure; and
4. Construction of a surface parking lot.

**B. Pre-Design Conference**

A pre-design conference with the Planning and Development Director or a designee is required before an applicant makes application for a certificate of appropriateness. Two copies of a site plan containing the following information shall be submitted to the Planning and Development Director for discussion at the pre-design conference:

1. Footprints of all existing structures
2. Proposed footprints for all new structures
3. Existing structures adjacent to the property
4. Existing and proposed floor plans (schematic drawings)
5. Building setbacks
6. Location of parking areas
7. Location of landscape areas
8. Two copies of building elevations for all sides of the building(s)
9. Photographs of the site and adjoining properties

**C. Application for Certificate of Appropriateness**

The following materials shall be submitted to the Planning and Development Department in connection with an application for a certificate of appropriateness. The materials must be submitted at least twenty-one days before the meeting of the Design Review Board at which the application for a certificate of appropriateness will be considered.

1. Nine copies of site plan including:
  - a. Footprints of all existing structures
  - b. Proposed footprint of all new structures
  - c. Existing structures adjacent to the property
  - d. Building setbacks
  - e. Location of parking areas, parking lot islands, driveways, sidewalks, walkways, loading areas, walls or fences, utilities, lighting, signage, alt-grade mechanical units, dumpsters, and all other site improvements.
2. Nine copies of landscape plan including location and dimension of areas to be landscaped (including private property, adjoining right-of-way and parking lot islands), total amount of landscaped area, location, number and planting size of all trees, shrubs, and groundcover, location and coverage of irrigation system, and location and description of street furniture.
3. Nine copies of schematic floor plans depicting the arrangement of interior spaces, location of windows and doors, mechanical equipment, electrical meter and utility locations. First floor site plans should show the relationship between the first floor and the site.
4. Nine copies of schematic building elevations for all sides of the building(s) showing design of all elevations, existing grade, proposed grade, finish floor elevations, roof slopes, mechanical vents and equipment, location and type of outdoor light fixtures, design and location of all wall sign(s) and notations regarding exterior colors and material;

5. Material specification outline with samples, brochures and/or photographs of all exterior building and site materials, finishes and fixtures.
6. For all detached signs, nine site plans drawn to scale indicating sign location and drawings of proposed sign, lettering and graphics, drawn to scale of at least one-quarter inch to the foot including any support structures. Colors of the proposed sign shall be indicated on the drawing and actual color samples shall also be furnished. Any proposed illumination shall be indicated on the drawing.

**D. Authority to Approve Certificate of Appropriateness**

1. The Planning and Development Director or designee is hereby charged with the duty and invested with the authority to approve a Certificate of Appropriateness for new construction and renovations when the project conforms to all standards and guidelines of the Trinity Uptown Development Standards and Guidelines.
2. The Urban Design Commission is hereby charged with and invested with the authority to enforce the Trinity Uptown Development Standards and Guidelines for new construction and exterior renovations by hearing and deciding applications for Certificates of Appropriateness with this section. (Ord. No. 19268, Eff. 09/07/10)

**E. Appeal**

1. Appeals Board
  - a. All decisions by the Planning and Development Director may be appealed to the Urban Design Commission. A written notice of appeal must be filed with the Executive Secretary of the Urban Design Commission within ten (10) days of notice of the decision of the Planning and Development Director or designee. The standard review before the UDC shall be de novo.
    - i. That the decision of the board is unreasonable, either in whole or in part; and
    - ii. The grounds for the appeal.
  - b. The Appeals Board shall schedule a hearing on such appeal within 30 days after receipt of the notice of appeal, or as soon thereafter as reasonably practicable. The Secretary of the Urban Design Commission shall forward to the Appeals Board a complete record of the matter, including a transcript of the tape of the hearing before the Urban Design Commission. In consideration of an appeal, the Appeals Board shall:
    - i. Hear and consider testimony and evidence concerning the previous recommendations and actions of the city staff and the Urban Design Commission;
    - ii. Hear new testimony and consider new evidence that was not available at the time of the hearing before the Urban Design Commission;
    - iii. Apply the substantial evidence test to the decision of the Urban Design Commission, considering the record made before the Urban Design Commission;
    - iv. Have the option to remand any case back to the Urban Design Commission for further proceedings.
  - c. The Appeals Board may uphold, reverse or modify the decision of the Urban Design Commission unless a continuance is agreed to by the owner/appellant.
  - d. A hearing before the Appeals Board shall exhaust the administrative remedies of the property owner/appellant under this title. Any owner/appellant aggrieved by the decision of the Appeals Board may file in District Court.  
(Ord. No. 19268, Eff. 09/07/10)

**4.1202 Trinity Uptown Peripheral Zone (“TUP”) Overlay District****A. Purpose and Intent**

It is the purpose of the Trinity Uptown Peripheral Zone Overlay district to provide design standards and guidelines and administrative procedures for new construction and certain renovations in the peripheral zone areas to promote and encourage pedestrian-oriented, urban development, high-quality, sustainable development and creative design.

**B. Boundaries of Trinity Uptown Peripheral Zone:**

Peripheral Overlay Zones are described as follows and as shown on Exhibit B.21:

**Marine Creek Zone**

A parcel of land out of Isaac Thomas Survey, Abstract Number 1526, Tarrant County, Texas, being all of Block 20, and a portion of Block 10, Map of the Property of the Fort Worth Stock Yards Company, according to plat thereof recorded at Volume 388-A, Page 111, of the Plat Records of Tarrant County, Texas, and a portion of Lots 1,2, 3, and 4, Block 167, and a portion of Lot 7, Block 168, M. G. Ellis Addition, according to plat thereof recorded at Volume 106, Page 64, of the Plat Records of Tarrant County, Texas, and a portion of the right-of-way of N. E. Twenty Third Street, and being more particularly described by metes and bounds as follows to wit:

BEGINNING at the northeast corner of said Block 20;

THENCE with the east line of said Block, South 7 degrees 24 minutes East, 321.8 feet to its southeast corner;

THENCE with the south line of said Block, the following courses and distances;

North 78 degrees 42 minutes West, 102 feet;

North 53 degrees 36 minutes West, 109.4 feet;

North 54 degrees 58 minutes West, 112.4 feet;

NORTH, 32.5 feet;

And North 60 degrees West, 23 feet, to its southwest corner;

THENCE with the west line of said Block, NORTH, 106 feet, to the south right-of-way of N. E. Twenty Third Street;

THENCE with said right-of-way, WEST, 360 feet, to the northwest corner of Block 172 of said M. G. Ellis Addition;

THENCE crossing said right-of-way, North 43 degrees 44 minutes 05 seconds West, 86.79 feet, to the north right-of-way of N. E. Twenty Third Street, and being the northwest corner of right-of-way Parcel 10, according to the Right of Way Map of N. E. 23 Street, on file at the City of Fort Worth, Transportation and Public Works Department, File Number K-755, and being in a curve having a radius of 555 feet;

THENCE northwesterly with said curve to the right, an arc distance of 154.87 feet, to the north corner of right-of-way Parcel 7, according said Right of Way Map, and being in the east line of said Lot 4;

THENCE with said east line, NORTH, 103.14 feet, to the north face of a 12” retaining wall on said Lot 3, according to the right-of-way and easement map of Marine Creek, on file at the City of Fort Worth, Transportation and Public Works Department, File Number 8-M-66,

THENCE bisecting said Lot 4, North 76 degrees 41 minutes 05 seconds West, 51.46 feet, to the west line of said Lot;

THENCE with said west line, North 00 degrees 20 minutes 37 seconds East, at 88.82 feet, pass the northwest corner of said Lot, in all 96.02 feet, to the northeast corner of that certain parcel of land out of said Block 10, described by deed recorded in Volume 9340 Page 1244, of the Deed Records of Tarrant County, Texas, and being in the west line of Lot 3, of Block 10-A, Fort Worth Stockyards Addition, according to plat thereof recorded at County Clerk’s Instrument Number D192196130;

THENCE with the said west line, to and along the west line of Lot 1, according to said plat, the following courses and distances;

North 63 degrees 11 minutes West, 173.3 feet;

North 24 degrees 58 minutes West, 220.17 feet;

North 19 degrees 03 minutes West, 97.8 feet, to the beginning of a curve having a radius of 1050.32 feet;

And Northerly with said curve to the right, an arc distance of 392.93 feet, to the most westerly northwest corner of said Lot 1;

THENCE with the most westerly north line of said Lot, North 89 degrees 54 minutes 55 seconds East, some 50+ feet, to its intersection with the east line of the Marine Creek Floodway & Beautification (Permanent Easement to the City of Fort Worth) as shown on said plat;

THENCE with said east line the following courses and distances;

South 00 degrees 18 minutes 17 seconds East, 50.92 feet;

South 89 degrees 47 minutes 54 seconds West, 5 feet;

South 00 degrees 12 minutes 06 seconds East, 359.52 feet;

And South 25 degrees 02 minutes 18 seconds East, some 50+ feet, to its intersection with the south line of said Lot 1;

THENCE with said south line, North 89 degrees 41 minutes 57 seconds East, to and along the south line of Lot 2, according to said plat, and to and along the south line of Lot 4, Block 10-A, Fort Worth Stockyards Addition, according to plat thereof recorded at County Clerk's Instrument Number D204114774, some 580 feet, to an ell corner of said Lot 4;

THENCE with the most south west line of said Lot, South 00 degrees 12 minutes 47 seconds East, 259.09 feet, to its southwest corner;

THENCE with the south line of said Lot, South 70 degrees 01 minutes 45 seconds East, 160.17 feet, to its southeast corner;

THENCE with the east line of said Lot, North 00 degrees 12 minutes 52 seconds West, 150 feet;

THENCE some South 68 East, bisecting the remainder of said Lot 3, of said Block 10-A, passing 10 feet South of the southwest corner of an existing building, some 400 feet, to the east line of said Lot 3;

THENCE with said east line, South 00 degrees 08 minutes 16 seconds East, some 225 feet, to the southeast corner of said Block 10, and being in the original north right-of-way of N. E. Twenty Third Street, according to said Map;

THENCE crossing said right-of-way, South 02 degrees 33 minutes 30 seconds East, 59.6 feet, to the **Place of Beginning**.

#### **West Fork to Marine Creek**

A parcel of land out of Isaac Thomas Survey, Abstract Number 1526, Edmund Little Survey, Abstract Number 954, the J. Baugh Survey, Abstract Number 115, and the Felix G. Mulliken Survey, Abstract Number 1045, Tarrant County, Texas, and being more particularly described by bounds as follows to wit:

BEGINNING at the northeast corner of Block 20 according to the Map of the Property of the Fort Worth Stock Yards Company, according to plat thereof recorded at Volume 388-A, Page 111, of the Plat Records of Tarrant County, Texas,

THENCE with the east line of said Block and along a projection of said line, Southeasterly, to its intersection with the west line of Block 179, M. G. Ellis Addition, according to plat thereof recorded at Volume 106, Page 64, of the Plat Records of Tarrant County, Texas;

THENCE with the west line of said Block, South, to its southeast corner;

THENCE with the north right-of-way of N. E. Twenty First Street, East, to the west line of the Fort Worth Belt Railway, as shown on said Map;

THENCE with said west line Southeasterly, to its intersection with the south right-of-way of N. E. Twenty First Street;

THENCE with said right-of-way, and along its projection, East, to an ell corner of Block 18, according to said Map;

THENCE with the most south west line of said Block, and to and along its projection, South, to the northwesterly right-of-way of the St. Louis Southwestern Railroad;

THENCE Southwesterly, with said right-of-way, to and along the northwesterly right-of-way of the St. Louis San Francisco and Texas Railroad, some 0.7 miles, to its intersection with the north line of the proposed bypass channel of the West Fork of the Trinity River;  
 THENCE with said north line, Northeasterly, to its intersection with the present west bank of the West Fork of the Trinity River;  
 THENCE with said west bank, Northeasterly, to its intersection with the west right-of-way of Samuels Avenue;  
 THENCE North with said right-of-way, to its intersection with the south right-of-way of N. E. Twenty Third Street;  
 THENCE with said right-of-way, West, to the ***Place of Beginning***.

#### **University/Jacksboro**

A parcel of land out of the John Baugh Survey, Abstract Number 115, the Joseph N. Connor Survey, Abstract Number 355 the Richard Crawley Survey, Abstract Number 313, and the Robert O. Reeves Survey, Abstract Number 1293, Tarrant County, Texas, and being more particularly described by bounds as follows;  
 BEGINNING at the intersection of the east right-of-way of Rockwood Park Drive Ramp to University Drive with the north bank of the man made channel of the West Fork of the Trinity River;  
 THENCE northerly with said right-of-way, to and along the east right-of-way of University Drive, and northeasterly with said right-of-way, some 0.45 miles, to its intersection with the southwesterly right-of-way of Jacksboro Highway;  
 THENCE southeasterly with said right-of-way and its projection, to its intersection with said north bank, some 60 feet southwesterly of the centerline of the Jacksboro Highway and Henderson Street Bridge over said River;  
 THENCE upstream with said bank, southwesterly and west some 0.5 miles to the ***Place of Beginning***.

#### **Parkview**

A parcel of land out of the E.S. Harris Survey, Abstract Number 688, and the George Shields Survey, Abstract Number 1402, Tarrant County, Texas, and being more particularly described by bounds as follows;  
 BEGINNING at the intersection of the north right-of-way of Interstate Highway Number 30, with the southeasterly bank of the man made channel of the West Fork of the Trinity River;  
 THENCE downstream with said bank, northeasterly some 0.7 miles to its intersection with the west right-of-way of the St. Louis, San Francisco & Texas Rail Road;  
 THENCE with said right-of-way, southerly some 320 feet, to the northwesterly right-of-way of Forest Park Boulevard;  
 THENCE with said right-of-way, southwesterly some 0.2 miles to its intersection with said north right-of-way of said Interstate Highway Number 30;  
 THENCE with said right-of-way, westerly some 0.5 miles to the ***Place of Beginning***.

#### **Northside Drive**

##### **Parcel I**

A parcel of land out of Edmund Little Survey, Abstract Number 954 and the Felix G. Mulliken Survey, Abstract Number 1045, Tarrant County, Texas, being all of Lot 1, Block 1, North Side Drive Industrial Park, according to plat thereof recorded at Volume 388-170, Page 42, of the Plat Records of Tarrant County, Texas, being all of Blocks 1R and 2R, Northpark, according to plat thereof recorded at Volume 388-41, Page 23, of the Plat Records of Tarrant County, Texas, being a portion of Northpark Business Center, according to plat recorded at Volume 388-109, Page 57, of the Plat Records of Tarrant County, Texas, and a portion of the right-of-way of Northside Drive, and Northpark Drive, and being more particularly described by metes and bounds as follows to wit:

BEGINNING at the intersection of the west right-of-way of the Samuels Avenue with the east bank of the West Fork of the Trinity River, as channelized;



THENCE southerly with said right-of-way, to and along the west right-of-way of the ramp from Samuels Avenue, to Northside Drive, crossing Northside Drive at the south end of said ramp, to the north end of the ramp from Northside Drive to Samuels Avenue, and with said ramp, to said west right-of-way of Samuels Avenue, and continuing southerly with said right-of-way, some 0.7 miles to the centerline of Northpark Drive, a private roadway and a 26 foot emergency access and utility easement according to said plat of Northpark Business Center;

THENCE with said centerline, South 77 degrees 56 minutes 25 seconds West, 779.34 feet to the beginning of a curve having a radius of 400.0 feet;

THENCE northwesterly with said curve to the right, an arc distance of 93.78 feet, to the east right-of-way of the Texas Electric Service Company, according to deed recorded in Volume 2691, Page 130, of the Deed Records of Tarrant county, Texas;

THENCE with said right-of-way, South 14 degrees 53 minutes 15 seconds East, 406.15 feet, to the southeast corner of said right-of-way;

THENCE with the south line of said right-of-way, North 59 degrees 36 minutes 50 seconds West, 106.85 feet, to the south corner of Lot 11, according to said Plat;

THENCE with the east line of said Lot, North 14 degrees 53 minutes 15 seconds West, 360.74, to its northeast corner and being on said centerline, and in said curve having a radius of 400.0 feet;

THENCE with the northeasterly line of said Lot, and northwesterly with said curve to the right, an arc distance of 121.29 feet, to its end;

THENCE continuing with the northeasterly line of said Lot, North 59 degrees 36 minutes 50 seconds West, 106.85 feet, to the beginning of a curve having a radius of 300.0 feet;

THENCE northwesterly with said curve to the right, an arc distance of 1.29 feet, to the north corner of Lot 11-B being a re-plat of a portion of said Lot 11, according to plat recorded at Volume 388-218, Page 37, of the Plat Records of Tarrant County, Texas;

THENCE with the northwesterly line of said Lot, South 30 degrees 26 minutes 35 seconds West, 235.09 feet to the west corner of said Lot 11-B, and being in the southwesterly line of said Lot 11;

THENCE with said line, North 59 degrees 36 minutes 50 seconds West, 303.66 feet, to an angle point;

THENCE continuing with said line, North 16 degrees 35 minutes 40 seconds West, to and along the southwesterly line of Lot 1, according to said plat, 801.09 feet, to an angle point;

THENCE with the west line of said Lot 1, North 07 degrees 46 minutes East, at 505.81 feet pass the northwest corner of said Lot, and crossing Northside Drive, in all some 620 feet, to the north right-of-way of Northside Drive, at the southeast corner of said Lot 1, of said North Side Drive Industrial Park;

THENCE westerly with said right-of-way, some 420 feet, to said east bank of the West Fork of the Trinity River, as channelized;

THENCE with said east bank, some 0.4 miles, to the ***Place of Beginning.***

**Parcel II**

A parcel of land being all of Lot 5, and a portion of Lot 6, Block A, Holloway's Addition, according to plat recorded at Volume 1530, Page 373, of the Deed Records of Tarrant County, Texas, and being more particularly described by metes and bounds as follows to wit;

BEGINNING at the southeast corner of said Lot 5, and being in the southwesterly right-of-way of Samuels Avenue;

THENCE with the south line of said Lot 5, South 83 degrees 40 minutes 30 seconds West, to and along the east line of Lot 9 of Northpark Business Center, according to plat recorded at Volume 388-109, Page 57, of the Plat Records of Tarrant County, Texas, 221.98 feet, to its southwest corner;

THENCE with the west line of said Lot 5, North 12 degrees 39 minutes West, and continuing with the east line of said Lot 9, to and along the east line of said Lot 6, 215.3 feet;

THENCE continuing with the east line of said Lot 9, North 73 degrees 52 minutes 30 seconds East, 114.24 feet, to said right-of-way;

THENCE with said right-of-way, South 36 degrees 01 minutes 15 seconds East, 269.48 feet, to the ***Place of Beginning.***

**Henderson Street**

A parcel of land out of Bailey's Industrial Addition, being all of Lots 4A and 5, Block 13, according to plats recorded at Volume 388-71, Page 744, and Volume 388-C, Page 95, of the Plat Records of Tarrant County, Texas, respectively, being all of Lots 1 and 2, Block 20, and being all of Lot D, Block 21, according to plat recorded in Volume 388-50, Page 53 of the Plat Records of Tarrant County, Texas, and a portion of Henderson Street, Cullen Street, and Rupert Street adjacent to said Lots, and being more particularly described by metes and bounds as follows to wit;

BEGINNING at the intersection of the west right-of-way of the St. Louis, San Francisco & Texas Rail Road, with the east line of said Block 21 projected north;

THENCE with said right-of-way, to and along the east line of said Block, South 22 degrees 02 minutes West, 524.1 feet, to the south corner of said Lot D;

THENCE with the most south west line of said Lot, North 00 degrees 58 minutes East, 186.6 feet, to an ell corner;

THENCE with the south line of said Lot, South 80 degrees 05 minutes West, 113 feet, to its most west corner, and being on the centerline of a Spur Track;

THENCE with the west line of said Lot, and said centerline, the following chords:

North 76 degrees 11 minutes East 50 feet;

North 70 degrees 47 minutes East 50 feet;

And North 64degrees 18 minutes East 33.76 feet, to its intersection with the centerline of a Spur Track;

THENCE continuing with the west line of said Lot, and said centerline, the following chords:

North 11 degrees 03 minutes West 54.2 feet;

North 17 degrees 00 minutes West 50 feet;

North 23 degrees 00 minutes West 50feet;

North 28 degrees 36 minutes West 50feet;

And North 35 degrees 14 minutes East 49.8 feet, to the most north west corner of said Lot;

THENCE continuing with said centerline, some North 41 degrees West, 50 feet, to its intersection with the centerline of Cullen Street;

THENCE with said centerline, South 42 degrees 15 minutes West, 17 feet, to the beginning of a curve having a radius of 290 feet;

THENCE continuing with said centerline, and with said curve westerly and to the right, through a central angle of 46 degrees 45 minutes, an arc length of 241.7 feet, to its end;

THENCE continuing with said centerline, WEST, 124.2 feet, to its intersection with the centerline of Rupert Street;

THENCE with said centerline, NORTH, 368.5 feet, to an angle point;

THENCE continuing with said centerline, North 50 degrees 41 minutes West, 158.2 feet, to its intersection with the southeast line of said Lot 4-A, projected southwest;

THENCE North 39 degrees 19 minutes East, 55.3 feet, to the south corner of said Lot 4-A;

THENCE with southwest line of said Lot, North 50 degrees 41 minutes West, 774.47 feet, to the north corner of Lot 1-A, Block 13, according to plat recorded at Volume 388-71, Page 119, of the Plat Records of Tarrant County, Texas;

THENCE with west line of said Lot 4-A, NORTH, 2.98 feet, to its west corner;

THENCE with north line of said Lot, North 78 degrees 05 minutes East, 234.98 feet, to the southwest right-of-way of Henderson Street;

THENCE North 42 degrees 15 minutes East, 140 feet, to the centerline of Henderson Street;

THENCE with said centerline Southeasterly, some 1438 feet, to the **Place of Beginning**.

**South of Oakwood Cemetery**

A parcel of land out of the John Baugh Survey, Abstract Number 115, and the Richard Crawley Survey, Abstract Number 313, Tarrant County, Texas, and being more particularly described by bounds as follows;

BEGINNING at the intersection of the northeasterly right-of-way of Jacksboro Highway with the most north east line of Lot 1, Bailey Gardens Addition, according to plat recorded in Volume 939, Page 569, of the Deed Record of Tarrant County, Texas;

THENCE with said east line, North 00 degrees 12 minutes East, 110.5 feet, to the southwest corner of Lot 1R, Block 1, Oakwood Cemetery, according to plat thereof recorded in Volume 388-198, Page 35 of the Plat Records of Tarrant County, Texas;

THENCE with the south line of said Lot 1R, the following courses and distances;

South 89 degrees 58 minutes East, 23 feet, to the beginning of a curve, having a radius of 2400 feet;

Easterly with said curve to the left, an arc distance of 176.28 feet, to its end;

North 68 degrees 49 minutes 36 seconds East, 218.56 feet;

South 89 degrees 19 minutes 49 seconds East, 299.99 feet,

And South 82 degrees 24 minutes 43 seconds East, 138.55 feet, to a line shown on said Plat labeled "EDGE OF CEMETERY MAINTENANCE" as surveyed by the City of Fort Worth, in 1989;

THENCE with said line labeled "EDGE OF CEMETERY MAINTENANCE" the following courses and distances;

South 54 degrees 50 minutes 48 seconds East, 113.26 feet;

South 71 degrees 25 minutes 54 seconds East, 89.39 feet;

North 71 degrees 54 minutes 41seconds East, 134.32 feet;

And North 86 degrees 30 minutes 58 seconds East, 58.51feet, to the south line of said Cemetery;

THENCE with the south line of said Lot 1R, the following courses and distances;

South 82 degrees 24 minutes 43 seconds East, 40.79 feet;

And South 89 degrees 16 minutes 10 seconds East, 295 feet, to an ell corner;

THENCE bisecting said Lot 1R, North 28 degrees 28 minutes 35 seconds East, 238.78 feet, to a corner in said south line;

THENCE with the south line of said Lot 1R, the following courses and distances;

North 60 degrees 26 minutes 48 seconds East, 86.45 feet;

And South 70 degrees 56 minutes 25 seconds East, 334.3 feet, to an east corner of said Lot, being at an angle point in the southwesterly line of Lot A, Block 1, Gifford-Hill & Co. Plant No. 41 Site, according to plat thereof recorded in Volume 388-133, Page 100, of the Plat Records of Tarrant County, Texas, and being in the northeasterly line of the right-of-way of the Tarrant County Water Control and Improvement District No. 1, according to deed recorded in Volume 2313, Page 509 of the Deed Records of Tarrant County, Texas;

THENCE with said southwesterly and northeasterly line South 56 degrees 44 minutes East, at 130 feet, pass the southeast corner of said Lot A, and to and along the southwest line of that certain tract of land conveyed to Oather M. Tow, by deed recorded in Volume 1720, Page 474, of the Deed Records of Tarrant County, Texas, in all some 500 feet, to the northwesterly right-of-way of the St. Louis, San Francisco and Texas Railroad;

THENCE Southwesterly with said northwesterly right-of-way, some 200 feet, to its intersection with the north bank of the man made channel of the West Fork of the Trinity River;

THENCE upstream with said bank, westerly, to its intersection with the northeasterly right-of-way of Jacksboro Highway;

THENCE northwesterly with said right-of-way, some 700 feet, to the *Place of Beginning*.

"This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights or interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

#### C. Relationship of Trinity Uptown Peripheral Zone to Base Zoning Districts

The Trinity Uptown Peripheral Zone is a zoning overlay that supplements the primary underlying zoning district classification. The permitted uses of the property shall be determined by the use regulations set forth for the primary zoning district classification for the property. Development projects in the Trinity Uptown Peripheral Zone shall be subject to the Trinity Uptown Peripheral Zone Development Standards and Guidelines in accordance with this section. In the event of any conflict between the design standards and any provision of this ordinance, the development standards and guidelines shall control.

**D. Trinity Uptown Peripheral Zone Design Overlay Zoning Standards and Guidelines Adopted**

The Trinity Uptown Peripheral Zone Design Overlay Zoning Standards and Guidelines, attached as Exhibit A, are hereby approved by the City Council and are included in the Zoning Ordinance by reference. All future amendments to the Trinity Uptown Peripheral Zone Design Overlay Zoning Standards and Guidelines must be considered by the Zoning Commission and approved by the City Council in accordance with the procedure set forth in Article 5, Chapter 3 of the Zoning Ordinance.

**E. Development Review Process****1. *Certificate of appropriateness required.***

Within the Trinity Uptown Peripheral Zone District Overlay, issuance of a certificate of appropriateness reflecting compliance the Trinity Uptown Peripheral Zone Design Overlay Zoning Standards and Guidelines is required as a condition for the following:

- a. Acceptance by the Planning and Development Department of an application for a building permit for construction of a new structure;
- b. Acceptance by the Planning and Development Department of an application for a building permit for expansion of an existing structure;
- c. Acceptance by the Planning and Development Department of an application for a building permit for renovation, remodeling or other alteration of an existing structure; and
- d. Construction of a surface parking lot.
- e. Acceptance by the Planning and Development Department of an application for a sign permit.

**2. *Application for certificate of appropriateness.***

The following materials shall be submitted to the Planning and Development department in connection with an application for a certificate of appropriateness. The materials must be submitted at least 21 days before the meeting of the design review board at which the application for a certificate of appropriateness will be considered.

- a. Copies of site plan including:
  - i. Footprints of all existing structures.
  - ii. Proposed footprint of all new structures.
  - iii. Existing structures adjacent to the property.
  - iv. Building setbacks.
  - v. Location of parking areas, parking lot islands, driveways, sidewalks, walkways, loading areas, walls or fences, utilities, lighting, signage, at-grade mechanical units, dumpsters, and all other site improvements.
- b. Copies of landscape plan including location and dimension of areas to be landscaped (including private property, adjoining right-of-way and parking lot islands), total amount of landscaped area, location, number and planting size of all trees, shrubs, and groundcover, location and coverage of irrigation system, and location and description of street furniture.
- c. Copies of schematic floor plans depicting the arrangement of interior spaces, location of windows and doors, mechanical equipment, electrical meter and utility locations. First floor site plans should show the relationship between the first floor and the site.
- d. Copies of schematic building elevations for all sides of the building(s) showing design of all elevations, existing grade, proposed grade, finish floor elevations, roof slopes, mechanical vents and equipment, location and type of outdoor light fixtures, design and location of all wall sign(s) and notations regarding exterior colors and material;
- e. Material specification outline with samples, brochures and/or photographs of all exterior building and site materials, finishes and fixtures.
- f. For all detached signs, nine site plans drawn to scale indicating sign location and drawings of proposed sign, lettering and graphics, drawn to scale of at least one-quarter-inch to the foot including any support structures. Colors of the proposed sign shall be indicated on the drawing and actual color samples shall also be furnished. Any proposed illumination shall be indicated on the drawing.

3. *Authority to approve certificate of appropriateness.*
  - a. The Planning and Development Director or designee is hereby charged with the duty and invested with the authority to approve a certificate of appropriateness for new construction and renovations when:
    - i. The project conforms to all standards and guidelines of the Trinity Uptown Peripheral Zone Design Overlay Zoning Standards and Guidelines when both are applicable; or
    - ii. A project is submitted wherein only the guidelines of the Trinity Uptown Peripheral Zone Design Overlay Zoning Standards and Guidelines are applicable.
  - b. The Urban Design Commission is hereby charged with and invested with the authority to enforce the standards in the Trinity Uptown Peripheral Zone Design Overlay Zoning Standards and Guidelines for new construction and exterior renovations by hearing and deciding applications for certificates of appropriateness with this section that require interpretation or discretionary judgment with respect to the project's compliance with the standards. The Urban Design Commission is hereby charged with and invested with the authority to enforce the Trinity Uptown Peripheral Zone Development Standards and Guidelines for new construction and exterior renovations by hearing and deciding applications for certificates of appropriateness with this section that require interpretation or discretionary judgment with respect to the project's compliance with standards and guidelines.

**F. Appeal.**

1. All decisions by the Planning and Development director may be appealed to the Urban Design Commission. A written notice of the appeal must be filed with the Executive Secretary of the Urban Design Commission within ten (10) days of notice of the decision of the Planning and Development Director or designee. The standard of review before the UDC shall be *de novo*.
2. All decisions by the Urban Design Commission may be appealed to the Appeals Board by the applicant. A written notice of appeal must be filed with the City Secretary within ten days after receipt of notification of the Urban Design Commission's decision. The written notice of appeal shall specify:
  - i. That the decision of the board is unreasonable, either in whole or in part; and
  - ii. The grounds for the appeal.
- b. The Appeals Board shall schedule a hearing on such appeal within 30 days after receipt of the notice of appeal, or as soon thereafter as reasonably practicable. The secretary of the Urban Design Commission shall forward to the Appeals Board a complete record of the matter, including a transcript of the tape of the hearing before the Urban Design Commission. In consideration of an appeal, the Appeals Board shall:
  - i. Hear and consider testimony and evidence concerning the previous recommendations and actions of the city staff and the Urban Design Commission;
  - ii. Hear new testimony and consider new evidence that was not available at the time of the hearing before the Urban Design Commission;
  - iii. Apply the substantial evidence test to the decision of the Urban Design Commission, considering the record made before the Urban Design Commission;
  - iv. Have the option to remand any case back to the Urban Design Commission for further proceedings.
- c. The Appeals Board may uphold, reverse or modify the decision of the Urban Design Commission unless a continuance is agreed to by the owner/appellant.
- d. A hearing before the Appeals Board shall exhaust the administrative remedies of the property owner/appellant under this title. Any owner/appellant aggrieved by the decision of the Appeals Board may file in District Court.  
(Ord. No. 19269, Eff. 09/07/10)

**4.1203 I-35W Design Overlay District (“I-35W”)****A. Purpose and Intent**

It is the purpose of the I-35W Design Overlay to provide standards and guidelines and administrative procedures for new construction and certain renovations in the corridor zones to promote and encourage excellence in development through quality site layout, lighting landscaping and design while creating a unified and natural landscape along the corridor zones.

**B. Boundaries of I-35W Design Overlay District**

Corridor Zones are described as follows and as shown on Exhibit B.22:

**South Zone: Meacham Boulevard to Basswood Boulevard**

A parcel of land situated in the County of Tarrant, being one thousand feet (1000') each side of the following described centerline of Interstate Highway 35 West, from its intersection with the centerline of Meacham Boulevard, to its intersection with the centerline of Basswood Boulevard; Beginning at the intersection of the centerlines of Interstate Highway 35 West, and Meacham Boulevard (formerly known as Odum Road), according to the right-of-way map of Interstate Highway 35W, Project No. I-35W-5(27)-429, from N. of St. Louis & S.W. R.R. North to Loop 217 (now known as Loop 820), and being at Engineer's Station 407+44;

THENCE northerly with said centerline, North 00 degrees 13 minutes 00 seconds East, to and along the centerline of Interstate Highway 35W, according to the right-of-way map of Interstate Loop 820, Project No. I-820-4(56)-454, from present U. S. 377 West to proposed location of Interstate 35W, 2544 feet, to an angle point at Engineer's Station 382+00;

THENCE continuing northerly with said centerline, North 00 degrees 04 minutes 00 seconds West, 2963.15 feet, to its intersection with the centerline of said Interstate Loop 820 at Engineer's Station 352+36.85, at Interstate Loop 820 Engineer's Station 662+58.39;

THENCE east with said centerline, North 90 degrees 00 minutes 00 seconds East, 30.00 feet, to its intersection with the centerline of said Interstate Highway 35W, at Interstate Loop 820 Engineer's Station 662+88.39, at Interstate Highway 35W Engineer's Station 619+06.89;

THENCE northerly with said centerline, North 00 degrees 04 minutes 00 seconds West, 2988.79 feet, to an angle point at Engineer's Station 589+18.10, according to the right-of-way map of Interstate Highway 35W, Project No. I-35W-5(41)-431, from Proposed U.S. 81 to Interstate Loop 820;

THENCE continuing northerly with said centerline, according to said right-of-way map, the following courses and distances;

North 00 degrees 02 minutes 05 seconds West, 810.05 feet, to the beginning of a curve having a radius of 11459.16 feet, at Engineer's Station 581+08.05;

Northerly with said curve to the left, through a central angle of 10 degrees 05 minutes 11 seconds, an arc distance of 2017.28 feet, to its end at Engineer's Station 560+90.77;

North 10 degrees 07 minutes 16 seconds West, 6014.19 feet, to the beginning of a curve having a radius of 11459.16 feet, at Engineer's Station 500+76.58;

Northerly with said curve to the right, through a central angle of 01 degrees 07 minutes 58 seconds, an arc distance of 226.58 feet, to its Terminus at the intersection of the centerlines of Interstate Highway 35 West, and Basswood Boulevard at Engineer's Station 498+50;

Basis of called bearings and distances, per recited right-of-way maps.

This description prepared by Hans Kevin Hansen, Registered Professional Land Surveyor, Number 4786, in April 2009, in an electronic format.

“This document was prepared under 22 TAC § 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights or interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.”

Revision I, September 21, 2009, width changed from "one thousand five hundred (1500') to "one thousand feet (1000')".

Revision II, November 15, 2010, Title changed to reflect limits changed from Meacham Blvd. to SH 114, divided into three sections, Meacham Blvd to Basswood Blvd, Basswood Blvd to Keller Hicks Rd, and Keller Hicks to SH 114

**Central Zone- Basswood Boulevard to Keller Hicks Road**

A parcel of land situated in the County of Tarrant, being one thousand feet (1000') each side of the following described centerline of Interstate Highway 35 West, from its intersection with the centerline of Basswood Boulevard, to its intersection with the centerline of Keller Hicks Road (County Road Number 4033);

Beginning at the intersection of the centerlines of Interstate Highway 35 West, and Basswood Boulevard according to the right-of-way map of Interstate Highway 35W, Project No. I-35W-5(41)-431, from Proposed U.S. 81 to Interstate Loop 820, and being at Engineer's Station 498+50, and being in a curve having a radius of 11459.16 feet;

THENCE northerly with said centerline, according to said right-of-way map, the following courses and distances;

Northerly with said curve to the left, through a central angle of 08 degrees 59 minutes 06 seconds, an arc distance of 1796.98 feet, to its end at Engineer's Station 480+53.02;

North 00 degrees 00 minutes 12 seconds West, at 3638.40 feet pass the end of said project, at Engineer's Station 444+14.62, and continuing with said centerline, according to the right-of-way map of Interstate Highway 35W, Project No. I-35W-5(21)-435, from Denton County Line to Proposed U.S. 81, in all 17707.45 feet, to the beginning of a curve having a radius of 5729.58 feet, at Engineer's Station 303+45.57;

Northerly with said curve to the left, through a central angle of 14 degrees 57 minutes 07 seconds, an arc distance of 1495.19 feet, to its end at Engineer's Station 288+50.38;

North 14 degrees 56 minutes 55 seconds East, 4503.36 feet, to its Terminus at the intersection of the centerlines of Interstate Highway 35 West, and Keller Hicks Road at Engineer's Station 243+47.02;

Basis of called bearings and distances, per recited right-of-way maps.

This description prepared by Hans Kevin Hansen, Registered Professional Land Surveyor, Number 4786, in April 2009, in an electronic format.

"This document was prepared under 22 TAC § 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights or interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

Revision I, September 21, 2009, width changed from "one thousand five hundred (1500') to "one thousand feet (1000')".

Revision II, November 15, 2010, Title changed to reflect limits changed from Meacham Blvd. to SH 114, divided into three sections, Meacham Blvd to Basswood Blvd, Basswood Blvd to Keller Hicks Rd, and Keller Hicks to SH 114

Scribner's errors corrected December 2, 2010

**North Zone- Keller Hicks Road to State Highway 114**

A parcel of land situated in the Counties of Denton and Tarrant, being one thousand feet (1000') each side of the following described centerline of Interstate Highway 35 West, from its intersection with the centerline of Keller Hicks Road (County Road Number 4033), to its intersection with the centerline of State Highway 114;

Beginning at the intersection of the centerlines of Interstate Highway 35 West, and Keller Hicks Road according to the right-of-way map of Interstate Highway 35W, Project No. I-35W-5(21)-435, from Denton County Line to Proposed U.S. 81, and being at Engineer's Station 243+07.02;

THENCE northerly with said centerline, according to said right-of-way map, the following courses and distances;

North 14 degrees 56 minutes 55 seconds East, 1779.10 feet, to the beginning of a curve having a radius of 5729.58 feet, at Engineer's Station 225+67.92;

Northerly with said curve to the left, through a central angle of 14 degrees 40 minutes 59 seconds, an arc distance of 1468.31 feet, to its end at Engineer's Station 210+99.61;

North 00 degrees 15 minutes 56 seconds East, 4997.63 feet, to the beginning of a curve having a radius of 5729.58 feet, at Engineer's Station 161+01.98;

Northerly with said curve to the right, through a central angle of 10 degrees 26 minutes 03 seconds, an arc distance of 1043.42 feet, to its end at Engineer's Station 150+58.56;

North 10 degrees 41 minutes 59 seconds East, 3744.61 feet, to the beginning of a curve having a radius of 5729.58 feet, at Engineer's Station 113+13.98;

Northeasterly with said curve to the right, through a central angle of 19 degrees 14 minutes 39 seconds, an arc distance of 1924.42 feet, to its end at Engineer's Station 93+89.56;

THENCE northeasterly with said centerline, North 29 degrees 56 minutes 38 seconds East, at 2848.83 feet, pass the called County Line at Engineers Station Equation 65+40.73=0+00, and at 2872.13 feet pass Engineers Station Equation 0+23.30=0+00, to and along the centerline of Interstate Highway 35W, according to the right-of-way map of Interstate Highway 35-W, Project No. I 35W-6(47)442, from Tarrant Co. Line to

F. M. 407, in all 4924.48 feet, to the beginning of a curve having a radius of 11459.16 feet, at Engineer's Station 20+52.35;

THENCE continuing northeasterly with said centerline, according to said right-of-way map, the following courses and distances;

Northeasterly with said curve to the right, through a central angle of 00 degrees 58 minutes 10 seconds, an arc distance of 193.89 feet, to its end at Engineer's Station 22+46.24;

North 30 degrees 54 minutes 48 seconds East, 11222.42 feet, to the beginning of a curve having a radius of 5729.58 feet, at Engineer's Station 134+68.66;

Northeasterly with said curve to the right, through a central angle of 06 degrees 48 minutes 35 seconds, an arc distance of 680.97 feet, to its end at Engineer's Station 141+49.63;

North 37 degrees 43 minutes 23 seconds East, 1845.43 feet, to its Terminus at the intersection of the centerlines of Interstate Highway 35 West, and State Highway 114, at Engineer's Station 159+95.06;

Basis of called bearings and distances, per recited right-of-way maps.

This description prepared by Hans Kevin Hansen, Registered Professional Land Surveyor, Number 4786, in April 2009, in an electronic format.

"This document was prepared under 22 TAC § 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights or interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

Revision I, September 21, 2009, width changed from "one thousand five hundred (1500') to "one thousand feet (1000')".

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Scribner's errors corrected December 2, 2010

### C. Relationship of I-35W Design Overlay District to Base Zoning Districts

The I-35W Design Overlay District is a zoning overlay that supplements the primary underlying zoning district classification. The permitted uses of the property shall be determined by the use regulations set forth in the primary zoning district classification for the property. Development of



projects in the I-35W Design District shall be subject to the *I-35W Development Standards and Guidelines* in accordance with this section. In the event of a conflict between the *I-35W Development Standards and Guidelines* and other sections of the City of Fort Worth Zoning Ordinance or other applicable regulations, the more restrictive requirement shall prevail. If there is a conflict between the *I-35W Development Standards and Guidelines* and a mixed-use zoning district (or Planned Development based on mixed-use zoning: i.e. PD/MU-1 or PD/MU-2) located on along I-35W frontage roads, the mixed-use regulations will govern the setbacks.

**D. I-35W Development Standards and Guidelines Adopted**

The I-35W Development Standards and Guidelines, attached as Exhibit A, are hereby approved by the City Council and are included in the Zoning Ordinance by reference. All future amendments to the I-35W Development Standards and Guidelines must be considered by the Zoning Commission and approved by the City Council in accordance with the procedure set forth in Article 5, Chapter 3 of the Zoning Ordinance.

**E. Development Review Process**

**1. Certificate of Appropriateness required.**

Within the I-35W Overlay District, issuance of a Certificate of Appropriateness reflecting compliance with the I-35W Development Standards and Guidelines is required for the following:

- a. Acceptance by the Planning and Development Department of an application for a building permit for construction of a new structure; or
- b. Acceptance by the Planning and Development Department of an application for a building permit for expansion of an existing structure; or
- c. Acceptance by the Planning and Development Department of an application for a building permit for renovation, remodeling or other alteration of an existing structure.

**2. Application for Certificate of Appropriateness**

The following materials shall be submitted to the Planning and Development Department in connection with an application for a Certificate of Appropriateness. The materials must be submitted at least twenty one (21) days before the meeting of the design review board at which the application of the Certificate of Appropriateness will be considered.

- a. Copies of the site plan including:
  - i. Foot prints of all existing structures;
  - ii. Proposed footprint of all new structures;
  - iii. Existing structures adjacent to the property;
  - iv. Location of parking areas, parking lot islands, driveways, sidewalks, walkways, loading areas, walls or fences, utilities, lighting, signage, at-grade mechanical units, dumpsters , and all other site improvements.
- b. Copies of landscaping plan including location and dimension of areas to be landscaped (including private property, adjoining right-of-way and parking lot islands), total amount of landscaped area, location, number and planting size of all trees, shrubs, and groundcover, location and coverage of irrigation systems, and location and description of street furniture.
- c. Copies of schematic floor plans depicting the arrangement of interior spaces, location of windows and doors, mechanical equipment, electrical meter and utility locations. First floor site plans should show the relationship between the first floor and the site.
- d. Copies of schematic building elevations for all sides of the building(s) showing the design of all elevations existing grade, proposed grade, finish floor elevations, roof slopes, mechanical vents and equipment, location and type of outdoor light fixtures, design and location of all wall signs(s) and notations regarding exterior colors and materials;
- e. Material specification outline with samples, brochures and/or photographs of all exterior building site materials, finishes and fixtures.

**3. Authority to approve Certificate of Appropriateness**

- a. The Planning and Development Director or designee is hereby charged with the duty and invested with the authority to approve a Certificate of Appropriateness for new construction and exterior renovations when the project conforms to all standards and guidelines of the *I-35W Development Standards and Guidelines*.

- b. The Urban Design Commission is hereby charged with and invested with the authority to enforce the *I-35W Development Standards and Guidelines* for new construction and exterior renovations that do not conform to all of the standards and guidelines by hearing and deciding application for Certificates of Appropriateness in accordance with this section.

#### **F. Appeal**

1. All decisions by the Planning and Development Director may be appealed to the Urban Design Commission. A written notice of the appeal must be filed with the Executive Secretary of the Urban Design Commission within ten (10) days of notice of the decision of the Planning and Development Director or designee. The standard of review before the Urban Design Commission shall be *de novo*.
2. All decisions by the Urban Design Commission may be appealed to the Appeals Board by the applicant. A written notice of appeal must be filed with the City Secretary's Office within ten (10) days after receipt of notification of the decision of the Urban Design Commission's decision. The written notice of appeal shall specify:
  - a. That the decision of the Urban Design Commission is unreasonable, either in whole or in part; and
  - b. The grounds for the appeal.
3. The Appeals Board shall schedule a hearing on such appeal as soon as reasonably practicable. The Executive Secretary of the Urban Design Commission shall forward to the Appeals Board a complete record of the matter including but not limited to, a transcript of the hearing before the Urban Design Commission.
4. In consideration of an appeal, the Appeal Board shall:
  - a. Hear and consider testimony and evidence concerning the previous recommendations and actions of city staff and the Urban Design Commission.
  - b. Hear new evidence that was not available at the time of the hearing before the Urban Design Commission. New evidence does not include information that was created after the date of the hearing before the Urban Design Commission;
  - c. Apply the substantial evidence test to the decision of the Urban Design Commission, considering the record made before the Urban Design Commission;
  - d. Have the option to remand any case back to the Urban Design Commission for further proceedings.
5. The Appeals Board may uphold, reverse or modify the decision of the Urban Design Commission unless a continuance is agreed to by the appellant.
6. A hearing before the Appeals Board shall exhaust the administrative remedies of the appellant under this title. Any appellant aggrieved by the decision of the Appeals Board may file in District Court.

**4.1204 Camp Bowie Overlay (“CB”) District****A. Purpose and Intent**

It is the purpose of the Camp Bowie District to provide a more functional and attractive community through the use of recognized principles of urban design and allow property owners flexibility in land use. The design standards and guidelines and administrative procedures for new construction and certain renovations in the area prescribe a higher level of detail in building design and form.

**B. Uses**

In the Camp Bowie (“CB”) District, no building or land shall be used and no building shall be hereafter erected, reconstructed, altered or enlarged, nor shall a Certificate of Occupancy be issued except in accordance with the use tables and supplemental standards contained in Section 5 of the document “Camp Bowie Boulevard Revitalization Code,” an adopted supplement to the City’s Zoning Ordinance.

**C. Property Development Standards**

The minimum dimension of lots and yards and the height of buildings in the Camp Bowie (“CB”) District is listed below by Character zone and shall be as shown in the document “Camp Bowie Boulevard Revitalization Code.”

The Development Standards may only be applied to that area known as the Camp Bowie District of Fort Worth, boundary as described in Exhibits “A” and “B”, attached here to and incorporated by reference.

**Highway Commercial Zone**Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street / Civic Space)	10’ minimum, 20’ maximum
Front (Boulevard/Local Street/ Highway)	10’ minimum, 40’ maximum
Side and Rear (from property line)	0’

Building Height:

6 stories maximum

**Ridglea Gateway Zone**Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street / Civic Space)	10’ minimum, 20’ maximum
Front (Boulevard/Local Street)	10’ minimum, 30’ maximum
Side and Rear (from property line)	0’

Building Height:

5 stories maximum

**Ridglea Urban Village Core North Zone**Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street and Civic Space)	5’ minimum, 10’ maximum
Front (Boulevard and Local Streets)	10’ minimum, 75’ maximum
Side or Rear (distance from property line)	0’

Building Height:

3 stories maximum

**Ridglea Urban Village Core South Zone**Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street and Civic Space)	5’ minimum, 10’ maximum
Front (Boulevard and Local Streets)	10’ minimum, 75’ maximum
Side or Rear (distance from property line)	0’

Building Height:

10 stories maximum

**General Corridor Mixed Use Zone**Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street and Civic Space)	10' minimum, 20' maximum
Front (Boulevard and Local Streets)	10' minimum, 75' maximum
Side or Rear (distance from property line)	0'

Building Height:

6 stories maximum

**Industrial Arts Zone**Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street and Civic Space)	10' minimum, 20' maximum
Front (Boulevard and Local Streets)	10' minimum, 30' maximum
Side or Rear (distance from property line)	0'

Building Height:

5 stories maximum

**Western Business District Zone**Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street and Civic Space)	10' minimum, 20' maximum
Front (Boulevard and Local Streets)	10' minimum, 75' maximum
Side or Rear (distance from property line)	0'

Building Height:

5 stories maximum

**Transition Zone**Setbacks (dependent on Street Classification in Regulating Plan):

Front (Neighborhood Street and Civic Space)	5' minimum, 10' maximum
Front (Boulevard and Local Streets)	10' minimum, 30' maximum
Side or Rear (distance from property line)	0'

Building Height:

3 stories maximum

**D. Other Development Standards**

Development in the Camp Bowie ("CB") District is subject to the development standards and guidelines contained in the "Camp Bowie District Boulevard Revitalization Code" document, attached as Exhibit "C". The Camp Bowie District Boulevard Revitalization Code is hereby approved by the City Council and included in the zoning ordinance by reference. All future amendments to the Camp Bowie District Boulevard Revitalization Code must be considered by the Zoning Commission and approved by the City Council in accordance with the procedure set out in Article 5, Chapter 3.

**E. Development Review Process**1. *Certificate of appropriateness required.*

Within the Camp Bowie District, issuance of a certificate of appropriateness reflecting compliance the Camp Bowie Boulevard Revitalization Code is required as a condition for the following:

- a. Acceptance by the Planning and Development Department of an application for a building permit for construction of a new structure;
- b. Acceptance by the Planning and Development Department of an application for a building permit for expansion of an existing structure;
- c. Acceptance by the Planning and Development Department of an application for a building permit for renovation, remodeling or other alteration of an existing structure; and
- d. Construction of a surface parking lot.
- e. Acceptance by the Planning and Development Department of an application for a sign permit.

2. *Application for certificate of appropriateness.*

The following materials shall be submitted to the Planning and Development department in connection with an application for a certificate of appropriateness. The materials must be submitted at least twenty-one (21) days before the meeting of the design review board at which the application for a certificate of appropriateness will be considered. At the time application materials are submitted, the applicant shall receive a sign provided by the Planning and Development Department that shall be posted on the project site at street level in a location readily visible to the public no less than ten (10) days prior to the meeting of the UDC.

- a. Copies of site plan including:
    - i. Footprints of all existing structures.
    - ii. Proposed footprint of all new structures.
    - iii. Existing structures adjacent to the property.
    - iv. Building setbacks.
    - v. Location of parking areas, parking lot islands, driveways, sidewalks, walkways, loading areas, walls or fences, utilities, lighting, signage, at-grade mechanical units, dumpsters, and all other site improvements.
  - b. Copies of landscape plan including location and dimension of areas to be landscaped (including private property, adjoining right-of-way and parking lot islands), total amount of landscaped area, location, number and planting size of all trees, shrubs, and groundcover, location and coverage of irrigation system, and location and description of street furniture.
  - c. Copies of schematic floor plans depicting the arrangement of interior spaces, location of windows and doors, mechanical equipment, electrical meter and utility locations. First floor site plans should show the relationship between the first floor and the site.
  - d. Copies of schematic building elevations for all sides of the building(s) showing design of all elevations, existing grade, proposed grade, finish floor elevations, roof slopes, mechanical vents and equipment, location and type of outdoor light fixtures, design and location of all wall sign(s) and notations regarding exterior colors and material;
  - e. Material specification outline with samples, brochures and/or photographs of all exterior building and site materials, finishes and fixtures.
  - f. For all detached signs, nine site plans drawn to scale indicating sign location and drawings of proposed sign, lettering and graphics, drawn to scale of at least one-quarter-inch to the foot including any support structures. Colors of the proposed sign shall be indicated on the drawing and actual color samples shall also be furnished. Any proposed illumination shall be indicated on the drawing.
3. *Authority to approve certificate of appropriateness.*
- a. The Planning and Development Director or designee is hereby charged with the Duty and invested with the authority to approve a certificate of appropriateness for new construction and renovations when the project conforms to all standards and guidelines of the Camp Bowie Boulevard Revitalization Code. The director may refer any case to the UDC for review.
  - b. The Urban Design Commission is hereby charged with and invested with the authority to enforce the Camp Bowie Boulevard Revitalization Code for new construction and exterior renovations by hearing and deciding applications for certificates of appropriateness with this section.

#### **F. Appeal.**

1. All decisions by the Planning and Development director may be appealed to the Urban Design Commission. A written notice of the appeal must be filed with the Executive Secretary of the Urban Design Commission within ten (10) days of notice of the decision of the Planning and Development Director or designee. The standard of review before the UDC shall be *de novo*.
2. All decisions by the Urban Design Commission may be appealed to the Appeals Board by the applicant. A written notice of appeal must be filed with the City Secretary within ten days after receipt of notification of the Urban Design Commission's decision.
  - a. The written notice of appeal shall specify:
    - i. That the decision of the board is unreasonable, either in whole or in part; and

- ii. The grounds for the appeal.
  - b. The Appeals Board shall schedule a hearing on such appeal within 30 days after receipt of the notice of appeal, or as soon thereafter as reasonably practicable. The secretary of the Urban Design Commission shall forward to the Appeals Board a complete record of the matter, including a transcript of the tape of the hearing before the Urban Design Commission. In consideration of an appeal, the Appeals Board shall:
    - i. Hear and consider testimony and evidence concerning the previous recommendations and actions of the city staff and the Urban Design Commission;
    - ii. Apply the substantial evidence test to the decision of the Urban Design Commission, considering the record made before the Urban Design Commission;
    - iii. Have the option to remand any case back to the Urban Design Commission for further proceedings.
  - c. The Appeals Board may uphold, reverse or modify the decision of the Urban Design Commission unless a continuance is agreed to by the owner/appellant.
- (Ord. No. 19936, Eff. 11/02/11)